IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25607 of 1997

Between:

M.Malathi, Minor, D/o. M.Subba Rao,
Rep. by her father M.Subba Rao, S/o. Somaiah,
R/o. H.No. 16/2, Bank Colony, Dilsukhnagar, Hyderabad.

..... PETITIONER

AND

1 A.P.S.R.T.C., Rep by its Managing Director & Vice Chairman, Musheerabad, Hyderabad.
2 The Depot Manager, APSRTC, Kukatpally, Hyderabad.
3 Government of Andhra Pradesh, Rep. by its SEcretary, Educational Department, Hyderabad.
4 The Commissioner and Director College Education, Hyderabad.
5 The Secretary, Board of Intermediate Education, Vidyabhavan, Nampally, Hyderabad.
6 Sri Priyadarshini Junior College, Rep. by its Secretary and Correspondent, 6-3-788/A/5, Ameerpet Bus Stop, Ameerpet, Hyderabad - 500 016.

(R-6 dismissed for default as per Court order dated 22-9-2004)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to: (i) declaring the action of the 3rd Respondent imposing the Clauses 3 and 4 in the proceedings D.O.Lr.No.106/PS/RE/95, dt. 25-7-1995 is arbitrary, illegal improper, discriminatory and violation of Articles 14 and 16 of the Constitution of India; (ii) declaring the action of the 5th Respondent imposing the condition No./15 in Consequential proceedings RC.No. 30/E4-1/96, dated 27-12-1996 is arbitrary, illegal and discriminatory;
(iii) declaring the action of the respondents in denying bus passes and scholarships on par with the other recognised

un-aided junior Colleges as arbitrary illegal and discriminatory; (iv) Consequently direct the respondents to extension of all such benefits to the petitioner herein to other reliefs.

Counsel for the Petitioner: MR.T.NAGESWARA RAO

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following:

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ORDER:

The present writ petition is filed questioning clauses 3 and 4 of proceedings dated 25-7-1995 imposing a condition that no scholarship and concessional bus passes will be given to the students enrolled in private/unaided junior college/courses.

While admitting the writ petition, this Court in W.P.M.P.No.29799 of 1997, dated 23-10-1997, passed an interim order suspending clause No.15 of the proceedings dated 27-12-1996 and consequently directed the A.P.S.R.T.C to issue concessional bus passes to the students who are prosecuting the studies in the sixth respondent college.

Learned counsel for the petitioner submits that in view of the interim order dated 23-10-1997 passed by this Court, the cause in this writ petition does not survive and the matter has become infructuous.

Accordingly, the writ petition is dismissed as having become infructuous. No order as to costs.

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N.V.RAMANA, J

Dated 09th March, 2005.

Tvk

To

1 The Managing Director & Vice Chairman, A.P.S.R.T.C., Musheerabad, Hyderabad.
2 The Depot Manager, APSRTC, Kukatpally, Hyderabad.
3 The Secretary, Government of Andhra Pradesh, Educational Department, Hyderabad.
4 The Commissioner and Director College Education, Hyderabad.
5 The Secretary, Board of Intermediate Education, Vidyabhavan, Nampally, Hyderabad.
6 2 CCs to G.P. for Education, High Court Buildings, Hyderabad. (OUT)

7 2 CD copies

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